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<b>INFORMATION DISCLOSURE STATEMENT</b>  Address to: Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket	MRIN-010
	First Named Inventor	BYRD, EDWARD A.
	Application Number	10/693,837
	Confirmation No.	1014
	Filing Date	October 23, 2003
	Group Art Unit	1615
	Examiner Name	
Title: "ORAL FORMULATION OF LIPID SOLUBLE THIAMINE AND LIPOIC ACID"		

Sir:

This is an Information Disclosure Statement submitted for the Examiner's consideration. Copies of Forms 1449 and 892 and a Form PTO-SB/08A listing the references and one copy of the cited references accompany this paper. Applicants would appreciate the Examiner's initialing and returning the form to indicate that the references have been reviewed and made of record.

**All of the references identified herein were disclosed in parent application serial number 10/412,559 filed 4/11/2003 and as such, copies thereof are not included pursuant to the provisions of 37 CFR § 1.98(d).**

This Information Disclosure Statement is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one of the above references constitutes prior art to the present application within the meaning of 35 U.S.C. § 102.

As applicants have not yet received a first Action on the merits, no fee is believed to be required for filing this Disclosure Statement. If, however, the PTO finds that for some reason a fee is due, our Deposit Account No. 50-0815, Order No. MRIN-010 may be charged thereon.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

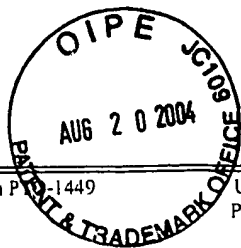
Date:

20/August/04

By:

Karl Bozicevic  
Registration No. 28,807

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Attorney Docket	MRIN-001 CIP2
	First Named Inventor	Edward A. Byrd
	Application Number	Unassigned
	Filing Date	January 5, 2001
	Group Art Unit	Unassigned

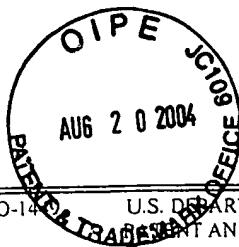
**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	3,577,551	05/04/71	Murakami et al.			
	AB	4,705,867	11/10/87	Giray et al.			
	AC	4,800,044	01/24/89	Giray et al.			
	AD	4,966,732	10/30/90	Giray et al.			
	AE	5,334,612	08/02/94	Kalden et al.			
	AF	5,376,382	12/27/94	Goede et al.			
	AG	5,455,264	10/03/95	Beisswenger et al.			
	AH	5,505,962	05/09/96	Sparks			
	AI	5,527,539	06/18/96	Sarlikiotis et al.			
	AH	5,532,269	07/02/96	Koltringer			
	AI	5,569,670	10/29/96	Weischer et al.			
	AJ	5,599,835	02/04/97	Fischer			
	AK	5,616,345	05/01/07	Geoghegan et al.			
	AL	5,637,320	06/10/97	Bourke et al.			
	AM	5,641,515	06/24/97	Ramtoola			
	AN	5,641,745	06/24/97	Ramtoola			
	AO	5,650,429	07/22/97	Conrad et al.			
	AP	5,691,379	11/25/97	Ulrich et al.			
	AQ	5,693,664	12/02/97	Wessel et al.			
	AR	5,705,192	01/06/98	Bethge et al.			
	AS	5,728,735	03/17/98	Ulrich et al.			
	AT	5,730,988	03/24/98	Womack			

EXAMINER

DATE CONSIDERED

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Substitute Form PTO-14 U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Attorney Docket	MRIN-001CIP2
First Named Inventor	Edward A. Byrd
Application Number	Unassigned
Filing Date	January 5, 2001
Group Art Unit	Unassigned

	AU	5,827,643	10/27/98	Conrad et al.			
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**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AV	WO 98/57627	12/23/98	PCT				
	AW	0 159 519	02/04/87	Europe				
	AX	0 702 953 A2	08/17/95	Europe				
	AY	0 712 574 A2	10/31/96	Europe				
	AZ	0 733 363 A1	03/09/96	Europe				
	BA	1 668 887	07/01/71	Germany				
	BB	36 29 116 A1	03/10/88	Germany				
	BC	42 20 851 A1	01/07/93	Germany				
	BD	43 17 646 A1	12/01/94	Germany				
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	BG	43 43 647 A1	06/22/95	Germany				
	BH	44 00 269 A1	07/13/95	Germany				
	BI	44 47 599 A1	07/04/96	Germany				
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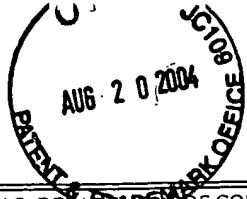
**OTHER DOCUMENTS (including Author, Date, Place of Publication)**

	BK	Armstrong et al., <i>Free Radical Biology and Chemistry</i> , (1996) 21(5):719-726
	BL	Barbiroli et al., <i>J Neurol</i> , (1995) 242:472-477
	BM	Baur et al., <i>Klin Wochenschr</i> , (1991) 69:722-724
	BN	Bilich et al., <i>I-Pharmacodynamics</i> , (1978) 88:93

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Attorney Docket

MRIN-001CIP2

First Named Inventor

Edward A. Byrd

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Group Art Unit

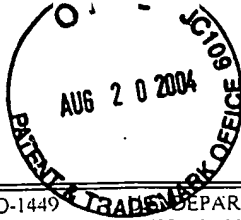
Unassigned

BO	Black et al., <i>Clinical and Experimental Pharmacology and Physiology</i> , (1998) 25:712-714
BP	Bloomgarden, <i>Diabetes Care</i> , (April 1997) 20(4):670-673
BQ	Burkart et al., <i>Agents Actions</i> , (1993) 38:60-65
BR	Busse et al., <i>Arzneim-Forsch/Drug Research</i> (1992) 42(6):829-831
BS	Bustamante et al., <i>Free Radical Biology and Medicine</i> , (1998) 24(6):1023-1039
BT	Carreau, <i>Methods in Enzymology</i> , (1979) 62:152-158
BU	Cesolari et al., <i>Rev Exp Enf Ap Digest</i> , (1988) 73(3) 229-232
BV	Chen et al., <i>Archives of Biochemistry and Biophysics</i> , (1997) 338(2):165-172
BW	Devasgayam et al., <i>Chem-Biol Interactions</i> , (1993) 86:79-92
BX	Dimpfel et al., <i>Dev Pharmacol Ther</i> , (1990) 14:193-199
BY	Egan et al., <i>Prostaglandins</i> , (1978) 16(6):861-869
BZ	Estrada et al., <i>Diabetes</i> , (December 1996) 45:1798-1804
CA	Faust et al., <i>J. Immunopharmac</i> , (1994) 16(1):61-66
CB	Fuchs et al., <i>Skin Pharmacol</i> , (1994) 7:278-284
CC	Gandhi et al., <i>J Biosci</i> , (September 1985) 9 (1 & 2):117-127
CD	Garrett et al., <i>Neuroscience Letters</i> , (1997) 222:191-194
CE	Gerbitz et al., <i>Diabetes</i> , (February 1996) 45:113-126
CF	Hammarqvist et al., <i>Crit Care Med</i> , (1997) 25(1):78-84
CG	Haugaard et al., <i>Biochem Biophys Acta</i> , (1970) 222:583-586
CH	Henricksen et al., <i>American Physiological Society</i> , (1990) C648-C653
CI	Henricksen et al., <i>Life Sciences</i> , (1997) 61(8):805-812
CJ	Hofmann et al., <i>Archives of Biochemistry and Biophysics</i> , (1995) 324(1):85-92
CK	Jacob et al., <i>Diabetes</i> , (1995) 245-250
CL	Jacob et al., <i>Diabetes</i> , (August 1996) 45:1024-1029
CM	Kagan et al., <i>Biochemical Pharmacology</i> , (1992) 44(8):1637-1649

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DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Attorney Docket

MRIN-001CIP2

First Named Inventor

Edward A. Byrd

Application Number

Unassigned

Filing Date

January 5, 2001

Group Art Unit

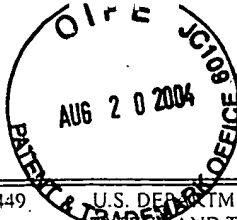
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CN	Kagan et al., <i>Journal of Lipid Research</i> , (1992) 33:385-397
CO	Kagan et al., <i>Free Rad Res Comms</i> , (1991) 15(5):265-276
CP	Khamaisi et al., <i>Metabolism</i> , (July 1997) 45(7):763-768
CQ	Lavis et al., <i>The Journal of Biologic Chemistry</i> , (January 10, 1970) 245(1):23-31
CR	Lodge et al., <i>Journal of Applied Nutrition</i> , (1997) 49 (1 & 2):3-11
CS	Lodge et al., <i>Free Radical Biology &amp; Medicine</i> , (1998) 25(3):287-297
CT	Matsugo et al., <i>Biochemistry and Molecular Biology International</i> , (October 1995) 37(2):375-383
CU	Merin et al., <i>FEBS Letters</i> , (1996) 294:9-13
CV	Muller et al., <i>Toxicology</i> , (1989) 58:175-185
CW	Muller et al., <i>Biochimica et Biophysica Acta</i> , (1990) 1052:386-389
CX	Muller et al., <i>Journal of Cerebral Blood Flow and Metabolism</i> , (1995) 15:624-630
CY	Nagamatsu et al., <i>Diabetes Care</i> , (1995) 18(8):1160-1167
CZ	National Diabetes Data Group Classification and Diagnosis of Diabetes Mellitus and Other Categories of Glucose Intolerance, <i>Diabetes</i> (1979) 28:1039-1057
DA	Natraj et al., <i>J. Biosci</i> , (1984) 6(1):38-46
DB	Nickander et al., <i>Free Radical Biology &amp; Medicine</i> (1996) 21(5):631-639
DC	Ohmori et al., <i>Japan J. Pharmacol</i> , (1986) 42:275-2
DD	Ohmori et al., <i>Japan J. Pharmacol</i> , (1986) 42:135-140
DE	Ou et al., <i>Free Rad Res</i> , (1996) 25(4):337-346
DF	Ou et al., <i>Biochemical Pharmacology</i> , (1995) 50(1):123-126
DG	Packer et al., <i>Free Radical Biology &amp; Medicine</i> , (1997) 22(1/2):359-378
DH	Packer et al., <i>Free Radical Biology &amp; Medicine</i> , (1995) 19(2):227-250
DI	Packer, <i>Diabetologica</i> , (1993) 36:1212-1213
DJ	Pascoe et al., <i>Free Radical Biology &amp; Medicine</i> , (1989) 6:209-224
DK	Peinado et al., <i>Archives of Biochemistry and Biophysics</i> , (September 1989) 273(2):389-395

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PATENT AND TRADEMARK OFFICE

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

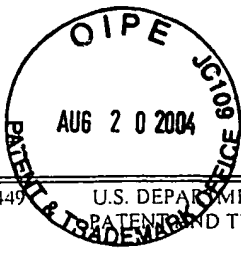
Attorney Docket	MRIN-001CIP2
First Named Inventor	Edward A. Byrd
Application Number	Unassigned
Filing Date	January 5, 2001
Group Art Unit	Unassigned

DL	Podda et al., <i>Biochemical Pharmacology</i> , (1996) 52:627-633
DM	Prehn et al., <i>Journal of Cerebral Blood Flow and Metabolism</i> (1992) 12:78-87
DN	Reed et al., <i>Science</i> , (1951) 93-94
DO	Roy et al., <i>Biochemical Pharmacology</i> , (1997) 53:393-399
DP	Scheer et al., <i>Archives of Biochemistry and Biophysics</i> , (May 1, 1993) 302(2):385-390
DQ	Schmid et al., <i>FASEB Journal</i> , (July 1998) 12:863-870
DR	Schonheit et al., <i>Biochimica et Biophysica Acta</i> , (1995) 1271:335-342
DS	Segermann et al., <i>Arzneim.-Forsch./Drug Res.</i> , (1991) 41(12):1294-1298
DT	Sen et al., <i>The FASEB Journal</i> , (May 1996) 10:709-720
DU	Sen et al., <i>Free Radical Biology &amp; Medicine</i> , (1997) 22(7):1241-1257
DV	Sen et al., <i>Biochemical and Biophysical Research Communications</i> (1998) 247:223-228
DW	Simopoulos, <i>Nutrition Today</i> , (January/February 1994) 12-16
DX	Stoll et al., <i>Pharmacology Biochemistry and Behavior</i> , (1993) 46:799-805
DY	Streeper et al., <i>American Physiological Society</i> , (1997) 273(1):E185-E191
DZ	Sumathi et al., <i>Jpn J Med Sci Biol</i> , (1996) 49:39-48
EA	Suzuki et al., <i>Free Rad Res Commsii</i> , (1992) 17(3):211-217
EB	Suzuki et al., <i>Biochemical and Biophysical Research Communications</i> , (December 1992) 189(3):1709-1715
EC	Suzuki et al., <i>Free Rad Res Comms</i> , (1991) 15(5) 255-263
ED	Szabo et al., <i>Klin Wochenschr</i> , (1986) 64(Suppl. VII):116-122
EE	Teichert et al., <i>Methods in Enzymology</i> , (1997) Vol. 279
EF	Wagh et al., <i>J. Biosci</i> , (March 1987) 11(1):59-74
EG	Wagh et al., <i>J. Biosci</i> , (June 1986) 10(2):171-179
EH	Wagner et al., <i>Properties and Derivatives of <math>\alpha</math>-Lipoic Acid</i> , (Oct. 5, 1956) 5079-5081
EI	Wickramasinghe et al., <i>Biochemical Pharmacology</i> , (1992) 43(3) 407-411
EJ	Witt et al., <i>Journal of Chromatography B</i> , (1998) 705:127-131

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Substitute Form PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Attorney Docket	MRIN-001CIP2
First Named Inventor	Edward A. Byrd
Application Number	Unassigned
Filing Date	January 5, 2001
Group Art Unit	Unassigned

	EK	Wolz et al., <i>Neruopharmacology</i> , (1996) 35(3):369-375
	EL	Ziegler et al., <i>Deutsche Medizinische Wochenschrift</i> , (July 1, 1988) 113(26) 1071-1074
	EM	Ziegler et al., <i>Diabetologia</i> , (1995) 38:1425-1433
	EN	Zimmer et al., <i>J Mol Cell Cardiol</i> , (1995) 27:1895-1903

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DATE CONSIDERED

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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<b>Complete if Known</b>			
		Application Number	09/755,890		
		Filing Date	January 5, 2001		
		First Named Inventor	Edward A. Byrd		
		Group Art Unit	1615		
		Examiner Name	Charesse L. Evans		
Sheet	1	of	1	Attorney Docket Number	MRIN001CIP2

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	U.S. Patent Documents		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AA	4520009		James M. Dunn	05-28-1985	
	AB	4,461,759		James M. Dunn	07-24-1984	

FOREIGN PATENT DOCUMENTS								
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Foreign Patent Documents			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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# **Notice of References Cited**

Application/Control No.

09/755,890

Applicant(s)/Patent Under  
Reexamination  
BYRD, EDWARD A.

Examiner

Charesse L. Evans

Art Unit

1615

Page 1 of 1

## **U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,728,735	03-1998	Ulrich et al.	514/560
	B	US-			
	C	US-			
	D	US-			
	E	US-			
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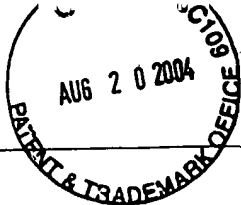
## **FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
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	P					
	Q					
	R					
	S					
	T					

## **NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
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	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
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Application/Control No.

09/755,890

Applicant(s)/Patent Under  
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Charesse L. Evans

Art Unit

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Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,197,340	03-2001	Byrd et al.	424/400
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
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	M	US-			

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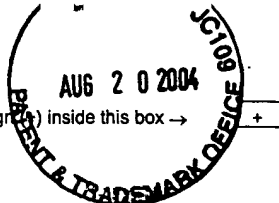
*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	MRIN-010

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		EVANS et al., "Pharmacokinetics, Tolerability, and Fructosamine-Lowering Effect of a Novel, Controlled-Release Formulation of $\alpha$ -Lipoic Acid" <i>Endocrine Practice</i> 8(1):29-35 (January/February 2002)	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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